



**GOVERNOR JANET NAPOLITANO**  
**ADDRESS TO THE NATIONAL PRESS CLUB**  
**REGARDING IMMIGRATION, BORDER SECURITY**

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**PRESENTED TO THE NATIONAL PRESS CLUB**  
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NATIONAL PRESS CLUB ADDRESS  
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GOVERNOR JANET NAPOLITANO  
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My name is Janet Napolitano and I am the recently re-elected Governor of Arizona. My topic today is one of the single greatest challenges that any governor has to face on a day-to-day basis: immigration, both illegal and legal, into the United States.

Our current immigration system is broken. It is too easy for the ‘bad guys’ to enter our country and too difficult for the ‘good guys’ – whose energies and intellects we need – to obtain lawful status. The failure to adequately control our borders reveals deep cracks in our Department of Homeland Security, unfairly affects states like mine that are on the border, and gives rise to ugly and unproductive political rhetoric.

In a moment I will detail what Arizona has done, but that should not detract from my central message: Congress and the President must act, and they must act this year, to fix this broken system. I am not alone. Governors from the border states – and the American people across the nation – have already waited too long for an answer, a solution, and effective results. Washington must give us a law that is both enforceable and enforced. They must delve beneath ‘bumper sticker’ phrases like “sealing the border” or “comprehensive reform” and get at this issue with all its complexities and political nuance. We’ve heard too much talk about border security and not enough action. They must commit to immigration as one of the signature domestic and foreign policy issues of our day, because as in so many things, *the continued failure to act will be worse than almost any legislation* that can be passed.

I come to the immigration issue with unique experience. From 1993 through 1997, I was the United States Attorney for Arizona, a state with a 376-mile border with Mexico. In case you’re wondering, 376 miles is roughly the distance between New York City and Norfolk, Virginia. From 1998 through 2002, I was Arizona’s attorney general. Since 2003, I have been governor.

Consequently, I have seen the border in every dimension, and unlike many in Washington, I have actually walked, flown by helicopter and even ridden a horse over much of it. The Arizona border is rough, rugged desert and mountainous terrain. It is picturesque in places; but it is deadly if you are walking in 120-degree heat carrying only a plastic water jug.

I have been in the drug tunnels, where cocaine and marijuana by the ton come into our country, and the sewers where children – who are crossing the border alone – sleep at night; I have seen the campsites strewn with abandoned clothing, human waste and refuse.

I have also supervised the prosecution of more than 6,000 immigration felonies plus dozens more large scale drug trafficking and money laundering rings. I have seized assets and



sought to convert them into something useful, including a domestic violence shelter in Douglas, Arizona. Other needs abound; for example, Tucson needs an expanded morgue. After all, the dead bodies the Border Patrol finds in the desert have to go somewhere.

I have witnessed firsthand the end result of a federal border strategy that does not address the root causes of illegal immigration; instead, it funnels immigration traffic into Arizona from Texas and California. Let me give you some facts to put our challenge into proper perspective:

In 2006, in a 24-hour period, an estimated 4,000 immigrants would cross illegally cross into my state. Although that number has gone down by about a third since the National Guard was deployed in mid-2006 under Operation Jump Start, even today's number will be significant. Of those who cross today, an estimated 1,400 will be picked up and sent back for another try. Most of the rest will make their way, by themselves, in small groups, or in groups of 100 or more, through southern Arizona until they disappear into Tucson and Phoenix. There, they hide in human stash houses in neighborhoods until arrangements are made to transport them anywhere across the country.

Now, let me tell you what happens to your state when you're an illegal immigration funnel. Emergency rooms close to the border are filled to capacity – sometimes beyond – with illegal immigrants, some of whom are quite literally dropped off around the corner by the Border Patrol so the federal government won't have to foot the bill for their care.

'Coyote' is the word used to describe human smugglers. When you're a funnel like Arizona, the price paid to a Coyote soars. The black market for stolen cars – used to transport illegal immigrants multiplies; so does the market for the fraudulent documents that are used to obtain jobs illegally.

And our state's criminal justice system is particularly hard hit. If an illegal immigrant commits a crime in Arizona, he typically is not given bail, so he spends more time in jail than most prisoners. He is indigent, so he is represented by a public defender, paid for by Arizona taxpayers. And when he is convicted in Arizona, he is sent to a prison system that has nearly 15 percent more inmates than beds, forcing our Department of Corrections to resort to triple bunking and lockup beds. In the last seven years, the number of foreign nationals in Arizona jails and prisons has grown by almost 60 percent, while the remaining prison population grew by only half that rate.

It seems only fitting that I bill the U.S. Government for these added, extra costs. After all, under a federal law known as SCAAP – the State Criminal Alien Assistance Program – the federal government is supposed to reimburse the states for the incarceration costs for illegal immigrants. So I sent Attorney General Gonzales an invoice for \$77 million. Then, I updated it to \$195 million. Since 2005, I've sent the Attorney General a total of seven separate invoices – including late fees – the last one totaling \$350 million. There has been only minimal reimbursement; our current unrecovered costs are estimated at well over \$300 million. For what hardworking Arizonans are absorbing in these costs alone we could pay for all-day kindergarten for every five-year-old in the state. The Administration and Congress say they're against new



taxes, and yet – by their inaction – they have imposed an “*illegal immigration tax*” on Arizona taxpayers, and on the taxpayers from every other border state.

The federal government refuses to foot the bill, or to deal in any effective way with the scope of this issue. In the face of that refusal, states have had to act. Here is what Arizona is doing:

We began with the principle of prevention. First, we set up a statewide Task Force on Fraudulent ID’s, the lifeblood of the human smuggling trade. I put in charge of the task force the director of our State Liquor Department – someone who knows a lot about fake IDs! Under her direction, the task force has disrupted several major fraudulent ID manufacturers, resulting in more than 100 arrests in just 18 months, and a significant dent in the fraudulent document racket in Arizona.

Then, second, we applied innovative, state-of-the-art technology to the solution. As I mentioned earlier, human smugglers rely on stolen vehicles for their transit needs. I directed our Department of Public Safety – Arizona’s Highway Patrol – to station high-tech and mobile cameras on southbound traffic lanes to Mexico. Our Department of Public Safety has also pioneered the use of advanced license plate reader technology that vastly improves our ability to detect the stolen vehicles used by human smugglers. When we catch the cars we can arrest the criminals who are driving them – often preventing additional crimes in the process.

Third, and in some ways most important, we applied the principles of partnership and cooperation. I have entered into separate law enforcement agreements with the Governor of Sonora, Mexico, the state that borders Arizona. Under our joint agreement, our police radios used by both states now interconnect; checkpoints in Sonora have now been established; and additional state police are deployed to the border from both Arizona and Sonora.

Perhaps the picture I have painted so far is too one-sided, for it only depicts the down side of being a border state. Here is the upside:

In bilateral trade, Mexico is our country’s second biggest trading partner, while we are Mexico’s largest. As for my state, Arizona has no more important trading partner. We export more than \$4 billion in goods to Mexico in a typical year. Roughly 95,000 full-time jobs in Arizona are directly attributable to our trade relationship.

I spend more time working with the Governor of Sonora than I spend with any U.S. governor. Governor Bours and I work together in developing mutual security plans, modernizing our ports of entry, and improving our transportation corridors. We co-chair an organization of government and business leaders from both states that meets twice every year to work on economic development, real estate, tourism and other initiatives. The two states have been doing this for more than 45 years. It is a model for U.S.-Mexican relations.

Beyond the Arizona-Sonora relationship, our country’s economic interest in legal immigration needs attention. We need scientists and engineers. Yet, restrictions on our H-1B visas force foreign graduates in vital areas such as engineering and medicine, who have trained



here, to use their talents elsewhere. After a successful background check, I believe that every one of them should have a green card stapled to their diplomas. In short, our immigration issues are not only about Arizona and Sonora, or agriculture and meat packing. Silicon Valley has just as great a stake in immigration reform. If you don't believe me, read the column by Bill Gates that appeared in last Sunday's Washington Post.

Despite the beneficial aspects of immigration, it is illegal immigration that dominates the public debate. Our federal government's failure to address illegal immigration has fueled a growing and understandable national mood of frustration and anger, and has made Lou Dobbs who he is today. I have been at the crossroads of that political debate.

I've prosecuted the illegal immigrants and the smugglers; I have also vetoed eight bills from my state legislature that I deemed overly harsh and ineffective. I declared a state of emergency and was the first governor to openly advocate for the National Guard at the border; yet, I also have refused to agree that a wall by itself is an answer. As I often say, "You show me a 50-foot wall, and I'll show you a 51-foot ladder."

I also refuse to concede that illegal immigration is a political winner for those who simplistically suggest we can just "seal" the border. I won re-election with 63 percent of the vote, carrying every county and legislative district in my state, despite the fact that my opponent's chief complaint against me was that I was somehow "soft" on immigration. I'm not. And he lost.

We must have the courage to talk openly and honestly with the American people about the need to address immigration. And we must have federal legislation that is reality-based. One popular proposal that is not reality-based is to require all undocumented persons to become legal citizens by returning to their country of origin and then applying to get back in. But how do you get 11 million people, many of whom risked their lives to get here, or were brought here as infants, have long-standing jobs and homes, and have children who are U.S. citizens, to voluntarily leave in the hope of someday returning to America? That presumes we have the administrative and legal infrastructure to handle such a mass exodus. We don't.

11 million people. That would be like asking everyone who lives in New York City *and* Los Angeles to get up and move. What a joke.

So, let's turn to reality.

Here are some of the key elements of a real border plan:

The first is the development of innovative, technology-driven border control between the ports of entry. Boots on the ground definitely help, but we can shore up our border gaps with ground-based sensors, radar, and unmanned aerial vehicles for wide-area intrusive-detection. Any combination of the above will work far better than any 10 or 20 or 50 miles of wall. The Department of Homeland Security is now installing this kind of technology. They need increased funding to sustain their efforts.



As my own aside, we can incentivize innovative technologies here that can be used by our Department of Defense for our own security needs or, indeed, marketed around the world.

Second, we must fundamentally reform the visa system and streamline the visa process. Let me give you an idea of how out-of-whack our current system is: the Dominican Republic has a population of about 8 million people; the Republic of Mexico has more than 100 million. Yet under the U.S. visa system operating now, the Dominican Republic – per capita – is allocated **more visas than Mexico!** No wonder it takes, on average, more than 10 years to get a legal immigrant visa from Mexico – talk about an incentive to cross illegally. This needs to change to widen the legal labor pool and match the evolving labor needs of the United States. While we're at it, we should institute tamper-proof immigration documents to quell the fraudulent ID market.

By adjusting our visa processes, we can simultaneously end the backlogs and meet the increasing demands of our agricultural, bio and high-tech industries and our economy in a timely fashion.

Third, we must institute a temporary worker program with no amnesty. Let me repeat that: a temporary worker program with no amnesty. Foreign labor should not be a substitute for U.S. workers; but it is critical that we bring foreign workers out of the shadows, put the clamps on the underground labor market and bring greater stability to our workforce.

As a side note, I reject the term “guest” worker. To me, this implies someone coming here to take a vacation. In fact, these people are coming to work. Their presence should be balanced with the demand for American workers, not superimposed like some sort of icing on a cake.

Fourth, we have to acknowledge that illegal immigration is a supply-and-demand problem, and that Congress must address both sides of that equation. Employers who hire illegal immigrants – and know it – should be held accountable and penalized. There are existing federal verification systems for employers, but they're not enough; those systems need to be able to interface with Social Security databases so employers can perform real-time verification that actually means something. We have the technology; now we need to put it to work. And again – employers who defy the law and feed the demand side of the illegal immigration equation should be punished. This means providing additional resources to the Department of Justice for employer enforcement and prosecution. Debarment should also be an available sanction.

Fifth, we must modernize our border infrastructure. Border enforcement designed to stop drugs and other contraband should not hinder the flow of legitimate travel and commerce. In Arizona, we are now developing cyberports and FAST lanes to ensure that our trade and goods travel quickly and safely through our ports. Much more can and should be done – a fact which any of you will recognize the next time you spend five hours waiting to cross from Tijuana to San Diego.

Sixth, Congress must discard the “report to deport” theory. The only realistic alternative we have – for those who are already living illegally in the United States – is to create a strict, stringent pathway to citizenship. That pathway must involve a substantial fine, learning English,



having no criminal history, keeping a job, paying taxes, then getting in the back of the line and waiting your turn.

However, we should never again allow ourselves to fall into this immigration “no-win” zone. After the law changed in 1986, the federal government did virtually nothing to enforce it, to adjust our immigration patterns to our country’s evolving labor needs, or to improve border security. That’s how the 11 million got here. That’s why we need an efficient, effective and properly resourced Justice Department, an immigration system that can police visa overstays and ongoing employer enforcement.

Finally, Congress and the President must address the root causes of illegal immigration by engaging with directly Mexico and Latin America. We need to improve the standard of living in these countries and we can make progress in that area by promoting opportunity and ownership, credit and capital. When President Bush meets with President Calderon next month, the issue of capital investment should be a key component of any immigration agreement. Indeed, when I met with President Calderon just three weeks ago, we spoke specifically of the need for capital investment and job creation, especially in the southern states of his country.

Immigration reform is not simple, but it can be done, and it can be done on a bipartisan basis. In 2006, the difficulties of immigration reform and the federal government’s dismal track record in addressing the problem of illegal immigration prompted the Western Governors’ Association, which I chaired at the time, to sit down, together, and develop a solid framework for reform. We left our politics at the door, and brought with us a commitment to examine the challenge from *all* angles and create a solution that addresses all components. The reform proposal reflects our shared belief that no singular approach to our immigration problems will succeed. The governors believe that enforcement alone is not the answer. Similarly, a temporary worker program alone is no panacea for the status of our system.

Drafted by Utah’s Governor Huntsman and me, the WGA strategy received not just bipartisan but unanimous support from our colleagues. I would venture to say that no other immigration proposal has received such diverse political support.

Arizona is waiting. So is California, New Mexico and the President’s home state of Texas. In fact, all of America is waiting – and time is running out.

It is going to require Congress to end the rhetoric, stop the politics, provide sustained funding, and turn away from extreme, unworkable solutions that solve nothing and only delay the benefits of real reform.

We can restore our respect for the rule of law and our rich immigrant heritage while preparing our economy and workforce for a changing world. For the sake of our nation, we must. For the sake of our nation, we will.

Thank you.